1   JUDGE ROBERT J. BRYAN

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6   UNITED STATES DISTRICT COURT
                     WESTERN DISTRICT OF WASHINGTON
7   AT TACOMA

8
     UNITED STATES OF AMERICA,   )   NO. CR08-5890RJB
9   )
            Plaintiff,   )
10   )
            vs.   )   ORDER GRANTING MOTION TO
11   )   CONTINUE TRIAL DATE AND
     RICHARD JASON HARPEL,   )   PRETRIAL MOTIONS DUE DATE
12   )
            Defendant.   )
13   _____)

14
            Based on the motion of the Defendant to continue the trial date, and the affidavit
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     of defense counsel in support of the motion, the Court makes the following findings of
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     fact and conclusions of law:
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            1. The ends of justice served by granting this continuance outweigh the best
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     interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).
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            2. Proceeding to trial absent adequate time for the defense to prepare would
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     result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(i).
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            3. The defense needs additional time to explore issues of some complexity,
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     including all relevant issues and defenses applicable to the case, which would make it
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     unreasonable to expect adequate preparation for pretrial proceedings or for trial itself
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     within the time limits established by the Speedy Trial Act and currently set for this case.
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     18 U.S.C. § 3161(h)(8)(B(ii).
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ORDER GRANTING MOTION
TO CONTINUE TRIAL DATE   1

1   4. Taking into account the exercise of due diligence, a continuance is necessary

2 to allow the defendant the reasonable time for effective preparation his defense. 18

3 U.S.C. § 3161(h)(8)(B)(iv).

4   NOW, THEREFORE,

5   IT IS HEREBY ORDERED that the trial date is continued from February 23,

6 2009 to **March 23**, 2009, at 9:30 am. The resulting period of delay from February 23,

7 2009, to **March 23**, 2009, is hereby excluded for speedy trial purposes under 18 U.S.C.

8 § 3161(h)(8)(A) and (B).

9   Pre-trial motions are due no later than **March 6**, 2009.

10   Pre-trial conference shall be on **March 13**, 2009, at **8:30** am.

11   DONE this 6th day of February, 2009.

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13   _____
         ROBERT J. BRYAN

14   United States District Judge

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   Presented By:

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   /s/ Colin Fieman

20 Colin Fieman
   Attorney for Defendant

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FEDERAL PUBLIC DEFENDER
ORDER GRANTING MOTION
TO CONTINUE TRIAL DATE   2
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(253) 593-6710